

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CECIL KOGER,

Plaintiff,

v.

DIRECTOR GARY MOHR, et al.,

Defendants.

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Case No. 4:17-CV-02409

Judge Benita Y. Pearson

DEFENDANTS' NOTICE REGARDING ORDER (Doc. 62)

Defendants, by and through counsel, hereby respond to this Court's Order filed on Friday, July 2, 2021. (Doc. 62). Within the Order, the Court directed counsel for defense to file a notice on the docket on or before July 6, 2021 by 4:00 p.m., confirming that Kenneth Black, the Warden of the Richland Correctional Institution, received notice of the July 14, 2021 final pretrial proceeding, along with log-in information for the Zoom meeting, and that there are no foreseen challenges regarding the Warden's compliance.

Undersigned counsel confirms that the Warden's staff has received the Court's email containing the notice and has contacted her office to coordinate this proceeding. Richland Correctional Institution always makes best efforts to comply with orders received from courts. However, the Ohio Department of Rehabilitation and Correction (ODRC) prohibits the use of Zoom in its institutions due to Zoom's security flaws and privacy policies.¹ Accordingly, the institution respectfully requests that inmate Koger be permitted to attend via telephone or via the ODRC internal video conferencing system.

¹ E.G. "Zoom security issues: Here's everything that's gone wrong (so far), Dozens of security and privacy problems have been found in Zoom. Here's an updated list." <https://www.tomsguide.com/news/zoom-security-privacy-woes>. June 4, 2021. Wagenseil, Paul

Respectfully submitted,

DAVE YOST
Ohio Attorney General

s/ Mindy Worly
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Trial Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was electronically filed on July 6, 2021. Notice of this filing will be sent to counsel for all parties via the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Mindy Worly
Mindy Worly (0037395)
Principal Assistant Attorney General